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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Barkats, et al.

Serial No.: 08/765,026

International Filing Date: 27 June 1995

Art Unit: 1805

Examiner: D. Guzo

For: ADENOVIRUS INCLUDING A GENE CODING FOR
A SUPEROXIDE DISMUTASE



To: Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING (37 CFR § 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: April 13, 1998

Paula L. Dickey
(Type or print name of person mailing paper)

Paula L. Dickey
(Signature of person mailing paper)

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE MAILING
DATE OF EITHER A FINAL ACTION OR NOTICE OF ALLOWANCE (37 CFR 1.97(c))**

The information disclosure statement transmitted herewith is being filed after three months of the filing date of this national application or the date of entry of the national stage as set forth in §1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but before the mailing date of either: (1) a final action under §1.113 or (2) a notice of allowance under §1.311, whichever occurs first.

Please charge Deposit Account No. 18-1982 in the amount of \$240.00 to cover the cost of the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under §1.97(c). Any deficiency or overpayment should be charged or credited to Deposit Account No. 18-1982. A **triplicate** of this sheet is enclosed.

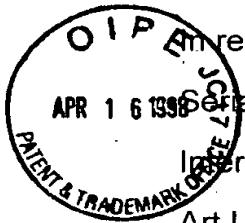
Respectfully submitted,

Paul F. Fehlner
Paul F. Fehlner, Ph.D.
Attorney for Applicants
Registration No. 35,135

Dated: Apr. 10, 1998

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

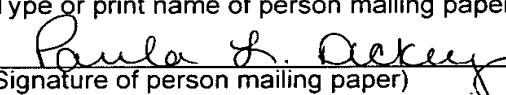


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Paula L. Dickey
(Type or print name of person mailing paper)

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Date: April 13, 1998

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR §§ 1.97 AND 1.98

Dear Sir:

Applicant submits herewith a list of patents and publications AA, FD-FM, and PE-PN, and copies thereof, as required by 37 C.F.R. § 1.98, which Applicant believes the Examiner may consider to be material to the patentability of claims of this application and for which there may be a duty to disclose in accordance with 37 CFR § 1.56. Applicant has previously filed an Information Disclosure Statement for this application on April 2, 1998.

While the patents and publications disclosed herein may be "material" within the meaning of 37 CFR § 1.56, Applicant's inclusion thereof in this Information Disclosure Statement is not intended to constitute an admission that any such patent or publication is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97 (g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that the information cited is material to patentability as defined in 37 CFR § 1.56(b).

Applicant believes that the claims in the present application are patentably distinguishable over the patents and publications listed on the attached Information Disclosure Citation Form.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits but before the mailing date of a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311. The Commissioner is hereby authorized to deduct the fee of \$240.00 for submission of this Information Disclosure Statement, pursuant to 37 C.F.R. §§ 1.97 (c) and 1.17 (p), from Deposit Account No. 18-1982. The Commissioner is hereby authorized also to deduct any underpayment from, or credit any overpayment further to the filing of this Information Disclosure Statement to said Deposit Account. An original and one copy of this Statement are enclosed.

Respectfully submitted,



Paul F. Fehlner, Ph.D.
Attorney for Applicant
Registration No: 35,135

Dated: *Aug. 10, 1998*

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